

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on March 30, 1999 at 8:00 A.M., in Room 312 - 2 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Joe Quilici, Vice Chairman (D)  
Rep. Steve Vick, Vice Chairman (R)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. Peggy Bergsagel (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Rep. John Cobb (R)  
Rep. Stan Fisher (R)  
Rep. Dick Haines (R)  
Rep. Royal Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Red Menahan (D)  
Rep. Ray Peck (D)  
Rep. Lila Taylor (R)  
Rep. Joe Tropila (D)  
Rep. John Witt (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Joanne Gunderson, Committee Secretary  
Taryn Purdy, Legislative Fiscal Division

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed. Minutes were recorded on a Sony BI-85 machine; references are measured in inches rather than minutes.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 273, 3/29/1999; SB 31, SB 270,  
3/25/1999

Executive Action: SB 31, SB 220, SB 301, SB 302, SB 270, SB 448

HEARING ON SB 270

Opening Statement by Sponsor:

Sen. Gerry Devlin, SD 2, presented SB 270.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 43}

Proponents' Testimony:

Gordon Morris, Director, Montana Association of Counties

{Tape : 1; Side : A; Approx. Time Counter : 43 - 52}

Tim Burton, Lewis and Clark County Administrator

{Tape : 1; Side : A; Approx. Time Counter : 52 - 86}

Charles Brooks, Yellowstone County Commissioner

{Tape : 1; Side : A; Approx. Time Counter : 86 - 105}

Opponents' Testimony: None.

Informational Testimony:

Randy Wilke, Department of Revenue

{Tape : 1; Side : A; Approx. Time Counter : 105 - 162}

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 162 - 167}

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 167 - 189}

EXECUTIVE ACTION ON SB 270

Motion: REP. MENAHAN moved that SB 270 BE CONCURRED IN.

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 189 - 260}

Vote: Motion carried 16-2 with P. Bergsagel and Kasten voting no.

{Tape : 1; Side : A; Approx. Time Counter : 260 - 265}

EXECUTIVE ACTION ON SB 301

Motion: REP.E. BERGSAGEL moved that SB 301 BE CONCURRED IN.

Motion: REP.E. BERGSAGEL moved that SB 301 BE ~~AMENDED~~ (aph71a01)

{Tape : 1; Side : A; Approx. Time Counter : 265 - 275}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 275 - 285}

Vote: Motion carried unanimously.

Motion: REP.E. BERGSAGEL moved that SB 301 BE CONCURRED IN AS AMENDED.

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 285 - 303}

Motion: REP. VICK moved THE TERMINATION DATE BE CHANGED TO 2007.

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 303 - 350}

Vote: Motion failed 7-11 by Roll Call Vote.

{Tape : 1; Side : A; Approx. Time Counter : 350 - 360}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 360 - 410}

Vote: Be Concurred In as Amended Motion carried 15-3 with Barnhart, Johnson, and Kasten voting no.

{Tape : 1; Side : A; Approx. Time Counter : 410 - 414}

EXECUTIVE ACTION ON SB 467

Motion: REP. BARNHART moved that SB 467 BE CONCURRED IN.

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 414 - 459}

Motion: REP. BARNHART moved that SB 467 BE AMENDED ~~IT~~ (aph71a02)

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 459 - Side : B;  
Approx. Time Counter : 70}

Substitute Motion/Vote: REP. KASTEN made a substitute motion TO INSERT " AND CAN BE USED FOR THIS PURPOSE." to Rep. Barnhart's amendment (Exhibit 2). Substitute motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 70 - 85}

Discussion:

{Tape : 1; Side : B; Approx. Time Counter : 85 - 260; Comments :  
RE: SB 467 Be Concurred in As Amended. Action on the bill was  
set aside until a later time.}

HEARING ON SB 273

Opening Statement by Sponsor:

Rep. Jim Shockley, HD 61, presented SB 273 on behalf of Sen.  
Jabs.

{Tape : 1; Side : B; Approx. Time Counter : 260 - 370}

Proponents' Testimony:

Chief Justice Turnage, Montana Supreme Court **EXHIBIT**(aph71a03)

{Tape : 1; Side : B; Approx. Time Counter : 370 - Tape : 2; Side  
: A; Approx. Time Counter : 31}

Pat Chenovick, Montana Supreme Court, Montana Judges Association

{Tape : 2; Side : A; Approx. Time Counter : 31 -~~EXHIBIT~~(aph71a04)

Kitty Curtis, District Judge

{Tape : 2; Side : A; Approx. Time Counter : 44 - 97}

Joe Anferreiner, Kalispell Chamber of Commerce

{Tape : 2; Side : A; Approx. Time Counter : 97 - 108}

Rep. Paul Sliter, HD 76

{Tape : 2; Side : A; Approx. Time Counter : 108 - 138}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 138 - Side : B;  
Approx. Time Counter : 98}

Closing by Sponsor:

{Tape : 2; Side : B; Approx. Time Counter : 98 - 164}

HEARING ON SB 31

Opening Statement by Sponsor:

Rep. Ray Peck, HD 91, presented SB 31 on behalf of Sen. Stang.

{Tape : 2; Side : B; Approx. Time Counter : 164 - 200}

Proponents' Testimony:

Madalyn Quinlan, Office of Public Instruction

{Tape : 2; Side : B; Approx. Time Counter : 200 - 269}

Loren Frazier, School Administrators

{Tape : 2; Side : B; Approx. Time Counter : 269 - 290}

Don Waldron, Montana Rural Schools Association

{Tape : 2; Side : B; Approx. Time Counter : 290 - 300}

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 300 - 347}

Closing by Sponsor:

{Tape : 2; Side : B; Approx. Time Counter : 347 - 350}

EXECUTIVE ACTION ON SB 31

Motion: REP. E. BERGSAGEL moved that SB 31 BE CONCURRED IN.

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 350 - 415}

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON SB 302

Motion: REP. WITT moved that SB 302 BE CONCURRED ~~EXHIBIT~~ (aph71a05)

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 415 - Tape : 3; Side : A; Approx. Time Counter : 65; Comments : Further action was suspended to wait for more information.}

EXECUTIVE ACTION ON SB 220

**Motion:** REP. WITT moved that SB 220 BE CONCURRED IN.

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 65 - 346; Comments :  
Fisher's amendment was discussed.}*

**Motion:** REP. FISHER moved TO PROVIDE FOR THE RETURN OF THE TAX  
TO THE PERMANENT TRUST FUND AT THE END OF THE 13TH YEAR.

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 346 - 499}*

**Vote:** Motion carried 17-1 with Barnhart voting no.

*{Tape : 3; Side : B; Approx. Time Counter : 0 - 5}*

**Discussion:**

*{Tape : 3; Side : B; Approx. Time Counter : 5 - 29; Comments :  
Discussion of bill as amended.}*

**Vote:** Motion carried 16-2 with Barnhart and Johnson voting no.

*{Tape : 3; Side : B; Approx. Time Counter : 29 - 77}*

**EXECUTIVE ACTION ON SB 448**

**Motion:** REP. TROPILA moved that SB 448 BE CONCURRED IN.

**Discussion:**

*{Tape : 3; Side : B; Approx. Time Counter : 77 - 253}*

**Vote:** Motion carried 10-8 by Roll Call Vote.

*{Tape : 3; Side : B; Approx. Time Counter : 253 - 279; Comments :  
Chairman Zook reversed his vote to break a 9-9 tie vote.}*

**EXECUTIVE ACTION ON SB 273**

**Motion:** REP. FISHER moved that SB 273 BE CONCURRED IN.

*{Tape : 3; Side : B; Approx. Time Counter : 279 - 317; Comments :  
Further action on this bill was postponed.}*

**EXECUTIVE ACTION ON SB 302 CONTINUED**

Motion/Vote: REP. E. BERGSAGEL moved that SB 302 BE AMENDED.

Motion carried unanimously.

*{Tape : 3; Side : B; Approx. Time Counter : 317 - 347; Comments : Taryn Purdy explained the amendments to the committee after receiving the information requested.}*

Motion/Vote: REP. E. BERGSAGEL moved that SB 302 BE CONCURRED IN AS AMENDED. Motion carried 16-2 with Barnhart and P. Bergsagel voting no.

ADJOURNMENT

Adjournment: 11:30 A.M.

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REP. TOM ZOOK, Chairman

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JOANNE GUNDERSON, Secretary

TZ/JG

**EXHIBIT** (aph71aad)